

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

STATE NATIONAL INSURANCE  
COMPANY,

Plaintiff,

v.

DUTTON LANDSCAPE SERVICES, et al.,

Defendants.

Case No. 1:24-cv-00742-SAB

ORDER REQUIRING PLAINTIFF TO FILE  
NOTICE OF STATUS OF SERVICE

**OCTOBER 18, 2024 DEADLINE**

Plaintiff filed this action on June 24, 2024. (ECF No. 1.) A scheduling conference is currently set for November 19, 2024. (ECF No. 4.) Plaintiff has not returned service documents for either defendant in this action and the defendants have not filed responsive pleadings.

Rule 4(m) provides that “If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). “But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” *Id.* The order setting the scheduling conference in this matter additionally provides that: “plaintiff shall diligently pursue service of the summons and complaint and dismiss those defendants against whom the plaintiff will not pursue claims...[and] plaintiff shall promptly file proofs of service of the summons and complaint so the Court has a record of service.” (ECF No. 4 at 1.)

1 Accordingly, IT IS HEREBY ORDERED that **no later than October 18, 2024**, Plaintiff  
2 shall file a notice regarding the status of service on Defendants Dutton Landscape Services and  
3 Ryan Dutton. Plaintiff is advised that failure to comply with this order may result in the issuance  
4 of sanctions, up to and including dismissal of this action.

5  
6 IT IS SO ORDERED.

7 Dated: **October 11, 2024**

  
UNITED STATES MAGISTRATE JUDGE